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EXAMINER
PARKER, BRANDI P

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 October 2008*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-60* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-60* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *8/4/2008*.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Acknowledgements

1.   The following is a Final Office action in response to communications filed on 10/23/2008. Claims 1, 2, 7, 9-10, 13, 15-17, 21-22, 27, 29, 35-37, 41-42, 49 and 55-57 have been amended.

Response to Applicant's Remarks

2.   Applicant's amendment to claim 1, filed on 10/23/2008, has been fully considered and is persuasive.   The rejection of claims 1-20 under 35 USC § 101 has been withdrawn.

3.   Applicant's arguments with respect to claims 1-17, 20-37, 40-57, and 60 under 35 U.S.C. 102(e) have been considered but are moot in view of the new ground(s) of rejection.

Examiner's Notes

4.   The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the

specified citations are representative of the teachings in the art and are applied to the

specific limitations within the individual claim, other passages and figures may apply.

Applicant, in preparing the response, should consider fully the entire reference as

potentially teaching all or part of the claimed invention, as well as the context of the

passage as taught by the prior art or disclosed by the Examiner.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Wilkinson et al (US 7016936) in view of Patel et al (US 7370004).

7.   With respect to claims 1, 21 and 41, Wilkinson teaches a method for optimizing

customer experiences, the method comprising:

a.   defining a plurality of prioritized experiences correlating to a customer interaction strategy, wherein each prioritized experience has at least one associated treatment (column/line 6/1-14);

b.   capturing customer interaction results, for refining future targeted interactions (column/line 6/1-14).

Wilkson does not directly teach a stored experiences accessed by a channel independent processing engine. However, Patel teaches:

c.   storing the plurality of prioritized experiences for consistent treatment among a plurality of different types of communication channels (column/line 3/7-41);

d.   using a central, channel-independent processing engine, dynamically applying the plurality of stored defined experiences during interactions with customers over at least two different types of communication channels (column/line 2/35-38); and

It would have been obvious to one of ordinary skill in the art to include the business system of Wilkinson with the ability to store experiences accessed by a

channel independent processing engine as taught by Patel since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

2.   As to claims 2, 20, 22, 40, 42 and 60, Wilkinson further teaches evaluating a customer strategy for a company(column/line 6/15-18); identifying a plurality of customer segments for a customer base of the company; and formulating the interaction strategy based on value opportunities (column/line 6/32-38).

3.   Regarding claims 3, 5, 23, 25 and 43 and 45, Wilkinson further teaches deriving insight about customers from analytical models, wherein defining the prioritized experiences is based on the derived insight, wherein the step of deriving insight from analytical models comprises:

   e.   extracting customer data for a plurality of customers from at least one database (column/line 11/59-67);

   f.   training analytical models to predict customer behavior, wherein the analytical models are trained using the customer data extracted from at least one database (column/line 6/66-7/12; 14/4-13);

g.   gathering the customer interaction results (column/line 7/2-5); and

h.   re-training the analytic models to refine the customer behavior prediction, wherein the analytical models are re-trained using the customer data extracted from at least one database as well as the customer interaction results (column/line 7/10-19, 14/15-28).

4.   With respect to claims 4, 24 and 44, Wilkinson further teaches the method from claim 1, wherein the step of storing the plurality of prioritized experiences stores experience data in a central repository (Figure 1, item 115); and wherein the step of dynamically applying the plurality of defined experiences retrieves experience data from the central repository (column/line 10/41-48).

5.   As to claims 6, 26 and 46, Wilkinson further teaches the method from claim 2, wherein evaluating the customer strategy comprises: evaluating business value drivers; defining key performance indicators; and defining business constraints (column/line 6/15-18).

6.   Regarding claims 7, 27 and 47, Wilkinsonfurther teaches the method from claim 2, wherein identifying the plurality of customer segments comprises: segmenting a plurality of customers by behavior data stored in a data warehouse; segmenting the

plurality of customers by value data stored in the data warehouse; and generating a two-dimensional matrix for cross-segmenting the plurality of customers by using the behavior data and the value data (column/line 14/4-13).

7.   With respect to claims 8, 28 and 48, Wilkinson teaches the method from claim 2, wherein formulating the interaction strategy comprises choosing a subset of interaction reasons from a pre-defined repository of interactions for a specified industry (column/line 12/46-57, specific conditions that can be tailored to a specific industry).

8.   As to claims 9, 29 and 49, Wilkinson teaches the method from claim 2, wherein the step of formulating the interaction strategy comprises capturing a current channel mix for all customer experiences and a future channel mix for the plurality of prioritized experiences (column/line 10/6-23).

9.   Regarding claims 10, 30 and 50, Wilkinson teaches the method from claim 2, wherein the step of formulating the interaction strategy comprises modeling value opportunities (column/line 14/4-13).

10.   With respect to claims 11, 31 and 51, Wilkinson teaches the method from claim 2, wherein formulating the interaction strategy comprises ranking interaction reasons to determine a primary set of interaction reasons (column/line 5/61-67).

11.   As to claims 12, 32 and 52, Wilkinson teaches the method from claim 2, wherein formulating the interaction strategy comprises: defining a plurality of treatments (column/line 5/55-61); and assigning each of the plurality of treatments to a prioritized interaction (column/line6/15-23).

12.   Regarding claims 13, 33 and 53, Wilkinson teaches the method from claim 12, wherein the assigning is based on a hierarchy of grouped rules (column/line 5/61-67).

13.   With respect to claims 14, 34 and 54, Wilkinson teaches the method from claim 1. Wilkinson wherein the step of defining the plurality of prioritized experiences enables a business user to define a plurality of treatments (column/line 5/27-37).

14.   As to claims 15, 35 and 55, Wilkinson teaches the method from claim 1, wherein the step of dynamically applying the plurality of defined experiences comprises leveraging a centralized rule processing engine; wherein the rule processing engine is independent of and consistent for a plurality of channels (column/line 5/53-55).

15.   Regarding claims 16, 36 and 56, Wilkinson teaches the method from claim 15, wherein the rule processing engine applies treatments as a function of a customer segment, an interaction type, and an interaction channel (column/line 5/27-37, 12/4-18).

16.   With respect to claims 17, 37 and 57, Wilkinson teaches the method from claim 1, wherein the step of applying the plurality of defined experiences comprises: building a customer intelligence record for representing a plurality of data fields for a customer; passing the customer intelligence record to a central, channel-independent rule processing engine; processing a plurality of rules for updating the customer intelligence record to indicate at least one treatment for the customer; and sending data from the customer intelligence record to the channel for instructing the channel on the treatments to present to the customer (column/line 9/26-10/5 regarding target/customer interaction module).

17.   As to claims 18, 38 and 58, Patel further teaches scoring the customer information and storing it in the customer intelligence record (column/line 16/11-13).

18.   Regarding claims 19, 39 and 59, Wilkinson teaches the method from claim 1. Wilkinson does not explicitly teach using the prioritized experiences to support marketing, sales, service and billing functions. Wherein the plurality of prioritized experiences support marketing, sales, service and billing functions executed by a customer consist of the intended use of the method and system claimed. It has been held that the manner or method in which machine is to be utilized is not germane to issue of patentability of machine itself *In re Casey*, 152 USPQ 235 (CCPA 1967) and claims 19, 39 and 59 are therefore rejected.

Conclusion

19.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.   Accordingly, **THIS ACTION IS MADE FINAL**.   See MPEP § 706.07(a).   Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

20.   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action.   In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action.   In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

21.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDI P. PARKER whose telephone number is (571) 272-9796. The examiner can normally be reached on Mon-Thurs. 8-5pm.

22.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley B. Bayat can be reached on (571) 272-6704.   The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

23.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRANDI P PARKER/
Examiner, Art Unit 3624

/Bradley B Bayat/
Supervisory Patent Examiner, Art Unit 3624